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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 BANK OF THE WEST, a California banking
corporation,

13 **Plaintiff,**

14 v.

15 PATRICK R. SMORRA, SR., an individual;
PATRICK R. SMORRA, JR., an individual;
16 ANITA SMORRA, an individual,

17 **Defendants.**

Case No. 3:18-cv-00187-LRH-CBC

**Stipulation and Order Regarding
Fraudulent Transfer**

18
19 Plaintiff Bank of the West, a California banking corporation ("Plaintiff"), by and through
20 its counsel, Richard F. Holley, Esq., F. Thomas Edwards, Esq., and Mary Langsner, Ph.D., of the
21 law firm Holley Driggs Walch Fine Puzey Stein & Thompson; and defendants Patrick R. Smorra,
22 Sr. ("Smorra Senior"), Patrick R. Smorra, Jr. ("Smorra Junior"), and Anita Smorra ("Mrs.
23 Smorra") (collectively with Smorra Senior and Smorra Junior, "Defendants"), by and through their
24 counsel, Kelly H. Dove, Esq. and Michael Paretti, Esq., of the law firm Snell & Wilmer L.L.P.;
25 hereby stipulate and agree as follows:

26 1. On April 24, 2017, Smorra Junior transferred his 50% interest in the real property
27

commonly known as 213 Sunflower Circle, Stateline, Nevada, 89449, Douglas County Assessor Parcel No. 1319-18-212-013 (the "Property") to Mrs. Smorra via Quit Claim Deed recorded in the Douglas County Official Records as Instrument No. 2017-897730 (the "Transfer").

2. Plaintiff and Defendants stipulate and agree that the Transfer was a fraudulent transfer pursuant to NRS 112.180(1)(a) and NRS 112.190(1) of Nevada's Uniform Fraudulent Transfers Act.

3. Plaintiff and Defendants expressly reserve the right to argue what remedies, if any, may be available to Plaintiff based upon the Transfer including, without limitation, how any homestead exemption may affect certain remedies.

4. Plaintiff and Defendants expressly reserve the right to argue whether other transfers of the Property are fraudulent pursuant to the Nevada's Uniform Fraudulent Transfers Act and what remedies may be available to Plaintiff, if any, for those other transfers of the Property.

5. Plaintiff hereby withdraws the Requests for Production Nos. 6, 7, 8, 9, 11 and 12 propounded upon each of the Defendants on October 2, 2018.

IT IS SO STIPULATED.

DATED this 22nd day of February 2019.

DATED this 22nd day of February 2019.

**HOLLEY DRIGGS WALCH
FINE PUZEY STEIN & THOMPSON**

SNELL & WILMER L.L.P.

/s/ F. Thomas Edwards
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/s/ Kelly H. Dove
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Las Vegas, Nevada 89169
*Attorneys for Defendants Patrick R. Smorra,
Sr.; Patrick R. Smorra, Jr.; Anita Smorra*

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE
UNITED STATES MAGISTRATE JUDGE
DATED: 2/26/2019